

January through December 1990

Complaints and Investigations under Wisconsin's Ethics Code and Lobbying Law

The Ethics Board may investigate possible violations of the Ethics Code and lobbying law whenever circumstances warrant and may file complaints alleging violations whenever it concludes there is probable cause to do so.

During the period January through December 1990, the Board investigated the following matters pertaining to possible violations of the statutorily prescribed standards of conduct for state officials, lobbyists, and principals.

SPOUSE'S DAY CARE BUSINESS. Representative James Holperin availed himself of a portion of the Ethics Code that permits a state official to ask the Ethics Board to undertake an independent review of the official's actions whenever the official's conduct is questioned by others. At Representative Holperin's request the Board investigated an allegation that Representative Holperin had improperly used his public position by voting for a day care bill which gave tax dollars to his wife's day care business. The Board failed to find probable cause that the Ethics Code had been violated and concluded that further proceedings were not merited. [EB-90-01]

SENATOR'S TELEPHONE USE. In light of published accounts suggesting that personal expenses were billed to taxpayers, the Board investigated to determine if a senator violated the Ethics Code by billing personal telephone calls to the state. The Board concluded that since the official had voluntarily reimbursed the state for the phone calls, further proceedings were not merited. [EB-90-02]

LEGISLATOR'S DRIVEWAY PAVING. In response to a citizen's complaint, the Board investigated to determine if a representative violated the Ethics Code by using his or her position in connection with the paving of the official's driveway. The Board concluded there was not probable cause to believe a violation had occurred. [EB-90-05]

JUDGES' MISUSE OF PHONE. In light of featured articles in a Wisconsin newspaper, the Board investigated to determine if Supreme Court justices violated the Ethics Code by billing personal telephone calls to the state. The Board concluded that because the justices had voluntarily reimbursed the state for phone calls that might not have related to official business, the calls were infrequent and involved small

amounts, and there was no pattern of misuse, further proceedings were not merited. [EB-90-07]

STATE PAYMENTS TO PRIVATE ENTITIES. The Board investigated to determine if an agency administrator violated the Ethics Code by authorizing state payments to private entities. The Board concluded that the entities were entitled to the payments although there may have been a minor violation of the law because the payments were authorized to be paid a week earlier than would otherwise have been the case. Because the official had been disciplined by his superiors, the Board determined that further proceedings were not merited. [EB-90-08]